



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 582-3211 EXT 2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM January 14, 2014

Bookmark: 3

SUBMITTED BY: County Counsel – Colleen Carlson

SUBJECT: RESOLUTION DECLARING A LOCAL EMERGENCY DUE TO DROUGHT
CONDITIONS IN KINGS COUNTY

SUMMARY:

Overview:

Since March 6, 2012, the Kings County Board of Supervisors (“Board”) has declared a local emergency due to lack of needed water in the County based on hydrologic and regulatory conditions and the risk of fire. Conditions during the 2013 water year proved even drier than in 2012. Initial estimated 2014 allocations for the State Water Project are 5-percent. Groundwater basins in the Tulare Basin region are extremely overdrafted, and river levels in the southern San Joaquin Valley are at historically low levels. State and federal lawmakers have called upon the Governor to issue an emergency drought resolution.

Recommendation:

Renew the resolution declaring a local emergency due to drought conditions in Kings County.

Fiscal Impact:

The Declaration of Local Emergency may provide some financial and administrative relief to help local farmers, businesses, and government agencies in addressing the problems associated with fire risk and the lack of adequate supplies of irrigation water.

BACKGROUND:

The California Emergency Services Act, Government Code section 8550, *et seq.*, authorizes the Board to proclaim local emergencies based on the “existence of conditions of disaster or of extreme peril to safety of persons and property” caused by fire or drought. (Gov. Code, § 8558, subd. (c).) Thereafter, the County may work with the California Emergency Management Agency to seek aid, and may also appropriate and transfer funds to address emergency situations upon a four-fifths vote. (Gov. Code, § 29127.) On March 6, 2012, the Board declared a local emergency due to drought conditions, which was last renewed on December 17, 2013.

(Cont’d.)

BOARD ACTION:

APPROVED AS RECOMMENDED: ☒ OTHER: ☐

ROLL CALL: FAGUNDES, VALLE, BARBA, VERBOON, NEVES - AYE

[Reference: See Resolution No. 12-009.25; which by reference hereto, is made part of these minutes.]

I hereby certify that the above order was passed
and adopted on 01/14/2014.

CATHERINE VENTURELLA, Clerk of the Board

By Rhonda Bay, Deputy.

AGENDA ITEM

RENEW THE RESOLUTION DECLARING A LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS IN KINGS COUNTY

January 14, 2014

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The October 1, 2012 to September 30, 2013 water year was extremely dry, and on March 13, 2013, the U.S. Department of Agriculture declared Kings County as the eleventh county in California to receive a primary disaster declaration for drought conditions. As a result of dry conditions, California experienced a 48-percent increase in the number of wildfires occurring in 2013 over the five-year average, and fuel beds in Kings County are receptive to ignition due to critically low fuel moisture. According to the U.S. Drought Monitor, Kings County remains in an extreme state of drought, and the National Oceanic and Atmospheric Administration predicts that this drought will persist at least until the end of March. Rainfall in Kings County in December 2013 was less than 8-percent of average, and the Department of Water Resources estimates that the Sierra snowpack is at 20-percent of average.

For growers in the County, the lack of precipitation has been exacerbated by the impact of environmental regulations and related court rulings, which have resulted in reduced pumping and drastic curtailments in the amount of water deliveries out of the Sacramento River and San Joaquin River Delta. With the water year starting out dry and reservoirs across the state at historically low levels, the Department of Water Resources announced on November 20, 2013, an initial allocation of 5-percent of requested deliveries to State Water Project contractors in 2014. Local water resources are inadequate to cope with such a drastic shortfall. By the end of the 2013 water year, the Kings River had no flowing water west of State Route 99, and this trend is likely to repeat itself if the 2014 water year turns out to be a third dry year in a row. Additionally, groundwater in the region is extremely overdrafted. According to the Kings Basin Water Authority, the current overdraft in the Kings Basin is estimated to be 100,000 to 150,000 acre feet per year, and groundwater overdrafts in the region of the county west of State Route 41 have resulted in subsidence of as much as four meters over the last decade.

In early December 2013, a group of nearly 50 members of Congress and the Legislature, including U.S. Representative David Valadao and State Senator Andy Vidak, sent a letter to the Governor and President calling on them to use their executive authority to mitigate the "effects of another natural drought exasperated by environmental regulations." On December 9, 2013, Senator Dianne Feinstein and U.S. Representative Jim Costa sent a letter to the Governor asking him to sign an emergency drought resolution. On December 17, 2013, the Governor directed the heads of the Department of Food and Agriculture, the State Water Resources Control Board, the Department of Water Resources, and the Office of Emergency Services to convene a taskforce to meet weekly to assess the state's preparedness for a drought and to determine whether conditions warrant a declaration of a statewide drought. The directive indicated that the Administration "must do everything [it] can to address the impacts of water shortages and move water from where it is available to where it is needed."

Some relief is available for individuals affected by drought conditions. Agricultural operators in all counties designated by the USDA as natural disaster areas may qualify for low interest emergency loans from USDA's Farm Service Agency (FSA). The USDA's Natural Resources Conservation Service has conservation-related disaster assistance to protect soil, water, and habitat. Small, non-farming businesses in USDA disaster-designated counties may be eligible for disaster assistance from the U.S. Small Business Administration. Additionally, FSA's Emergency Conservation Program may also help restore conservation-related farm property and facilities, and the Noninsured Crop Disaster Assistance Program is available for producers who enroll in this annual protection program prior to the deadline.

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF KINGS, STATE OF CALIFORNIA**

**IN THE MATTER OF RENEWING
THE DECLARATION OF A LOCAL
EMERGENCY DUE TO
DROUGHT CONDITIONS /**

RESOLUTION NO. 12-009.25

WHEREAS, on March 6, 2012, the Kings County Board of Supervisors ("Board") adopted Resolution No. 12-009 declaring a local emergency due to drought conditions within Kings County based on the minimal amount of precipitation received from November 2011 to February 2012; and

WHEREAS, on April 3, 2012 and through December 17, 2013, the Board renewed the declaration of a local emergency due to drought conditions within Kings County and Central California, and on January 14, 2014, the Board considered whether to renew the declaration of local emergency due to drought; and

WHEREAS, the October 1, 2012 to September 30, 2013 water year was an extremely dry season, prompting the U.S. Department of Agriculture on March 13, 2013, to declare the County of Kings as the eleventh county in California to receive a primary disaster declaration for drought conditions; and

WHEREAS, statewide, California experienced significantly more fires than usual in 2013, and in Kings County, fuel beds have been very receptive to ignition with fuel moisture being critically low; and

WHEREAS, environmental regulations and related court rulings have resulted in reduced pumping and drastic curtailments in the amount of water deliveries out of the Sacramento River and San Joaquin River Delta, which has negatively impacted the operations of the California Aqueduct and the Friant-Kern Canal and reduced surface water availability to farmers and other water users in the Central Valley; and

WHEREAS, Kings County remains in a state of extreme and persistent drought and state and federal lawmakers have urged the governor to declare a drought and take executive action to mitigate the effects of another natural drought exasperated by environmental regulations; and

WHEREAS, on November 20, 2013, the Department of Water Resources announced an initial allocation of 5-percent of requested deliveries to State Water Project contractors in calendar year 2014; and


WHEREAS, local water resources are insufficient to compensate for another sharp curtailment of surface water deliveries, and local resources are not adequate to cope with the impact drought-related losses will have upon the County's economy.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Pursuant to Government Code section 8630, this Board hereby renews its declaration of a local emergency in Kings County.
2. During the existence of this local emergency, the powers, functions and duties of the Emergency Services Officer and staff shall be as prescribed by state law and by County ordinance and resolutions of this Board.
3. The Emergency Services Officer is hereby authorized and directed to consult and cooperate with federal and state officials about mitigating the conditions caused by the drought.
4. The Board of Supervisors hereby requests that the Governor declare a state of local emergency in Kings County due to the drought conditions and requests disaster assistance from the federal government due to such conditions.

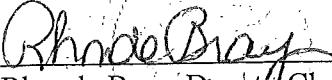
The foregoing resolution was adopted upon motion by Supervisor Fagundes, seconded by Supervisor Valle, at a regular meeting held on the 14th day of January, 2014, by the following vote:

AYES: Supervisors Fagundes, Valle, Barba, Verboon, Neves
NOES: None
ABSENT: None
ABSTAIN: None




Joe Neves, Chairman
Board of Supervisors, County of Kings

WITNESS my hand and seal of said Board of Supervisors this 14th day of January, 2014.



Rhonda Bray, Deputy Clerk of said Board of Supervisors

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STATE OF CALIFORNIA } ss.	
COUNTY OF KINGS	
I, CATHERINE VENTURELLA, Clerk of the Board of Supervisors of said County and State, do hereby certify the foregoing to be a full, true and correct copy of the original thereof on file in my office.	
Witness my hand and Seal of said Board, this	14 th day of Jan 2014
CATHERINE VENTURELLA Clerk of the Board of Supervisors	
By	 Deputy Clerk